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REMARKS

The application has been reviewed in light of the Office Action dated July 21, 2006. Claims 1, 2, 4-15, and 17-27 were pending, with claims 3 and 16 having previously been canceled, without prejudice or disclaimer. By this Amendment, claims 1, 2, 4-15 and 17-22 have been canceled, without prejudice or disclaimer, and new claims 28-41 have been added. Accordingly, claims 23-41 are now pending, with claims 23, 31 and 39 being in independent form.

The Office Action indicates that claims 23-27 have been allowed. Claims 28-30 depend from allowed claim 23 and therefore are submitted to be allowable for at least similar reasons.

Claims 18-22 were rejected under 35 U.S.C. §101, as allegedly directed to non-statutory subject matter. Claims 1, 2, 4-15 and 17 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over U.S. Patent No. 5,971,923 to Finger or U.S. Patent No. 5,950,207 to Mortimore et al.

By this Amendment, claims 1, 2, 4-15 and 17-22 have been canceled, without prejudice or disclaimer.

New claims 31-41 (like claims 23-30) describe subject matter having a useful purpose and tangible results (reconstructing or generating a report), and are submitted to be patentable over Finger and Mortimore.

Finger, as understood by Applicant, proposes an approach for processing of ultrasound data, wherein a CPU 74 generates text and graphics for display with the ultrasound image. Finger proposes that image data can be compressed based on a full screen compression scheme such as DICOM (Packbits) compression scheme.

Mortimore, as understood by Applicant, proposes a database management system for

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managing image data from data sources, such as a CT scanner. Mortimore proposes that for a device such as a CT scanner that outputs sets of images corresponding to slices from a CT scan, a unique identifier is assigned to each original data set, each data set and its unique identifier are then assembled as a data object, and a DICOM v.3.0 file is created containing unique identifiers for each data object.

Applicant submits that the cited art does not teach or suggest, however, a method for communicating quantitative data by using a DICOM file, including generating a report image file from quantitative data, embedding the report image file as an image file portion of the DICOM file, embedding the quantitative data, used to create the report image file, in a portion of the DICOM file other than the image file portion, and reconstructing a report utilizing the DICOM file including the quantitative data, as provided by the subject matter of claim 31 of the present application.

In addition, Applicant does not find teaching or suggestion in the cited art of a method for communicating medical information through a composite file which comprises quantitative data and image data, including performing an image acquisition of at least a portion of a patient to be examined, generating image data based on the performed acquisition, generating quantitative data based on the performed acquisition, constructing a composite file, the image data being provided in an image data field of the composite file and the quantitative data being provided in one or more fields of the composite file other than the image data field, and generating a report utilizing the composite file including the quantitative data, as provided by the subject matter of claim 39 of the present application.

In view of the amendments to the claims and remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the

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allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400